CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE EIGHT HUNDRED AND EIGHTEENTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 11 March 1999, at 10.15 a.m.

President: Mr. Rodríguez Cedeño (Venezuela)

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The PRESIDENT (translated from Spanish): I declare open the 818th plenary meeting of the Conference on Disarmament.

On my list of speakers for today I have the representatives of Algeria, Japan and China. In addition, before hearing the speakers on today's list, allow me, on behalf of the Conference and on my own behalf, to extend a cordial welcome to the representatives of non-governmental organizations with us in the gallery today. As you know, International Women's Day was celebrated on 8 March last, and to mark this event, the Women and Peace Working Group of the NGO Committee on the Status of Women will, in accordance with established practice, address a message to the Conference. I am certain that the Conference joins me in conveying our best wishes to all women present in the room today and telling them how much we appreciate their steadfast commitment to peace, disarmament and the continuing interest they show in our work.

I should now like to call on the Secretary-General of the Conference and Personal Representative of the Secretary-General of the United Nations, Mr. Vladimir Petrovsky, who will read the statement addressed to the Conference by the Women and Peace Working Group.

Mr. PETROVSKY (Secretary-General of the Conference on Disarmament and Personal Representative of the Secretary-General of the United Nations): It is indeed a pleasure for me to convey the message to the Conference on Disarmament from the Women's Seminar to mark International Women's Day. The message reads as follows:

"Distinguished members of the Conference on Disarmament,

"Once again women have gathered in Geneva in a seminar to mark 8 March, International Women's Day, which had its birth more than 140 years ago in a massive demand by women textile workers for better wages and working conditions. We have come together, as in previous years, to give expression to the demand of women worldwide for disarmament and peace.

"We, the participants in the women's seminar and the hundreds of thousands of women we represent in more than 15 countries, appreciate the opportunity to bring to you our reflections on some of the issues on the agenda of this Conference on Disarmament. We also have a need to convey to you our deep concern at the slowness of advancing this agenda, keeping the achievement of complete disarmament still as a distant goal.

"A year ago in March, the CD appointed a Special Coordinator under item 3, entitled 'Prevention of an arms race in outer space', to explore appropriate ways to deal with this question. Our women's seminar this year has specifically dealt with this topic. We consider that the work done by the Special Coordinator should be continued and built upon, and we strongly urge you to re-establish as quickly as possible the ad hoc committee with a view to negotiating measures to prevent outer space from being used for hostile military purposes and other strategic

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advantages. We see outer space as an integral part of the common heritage of humankind. All scientific exploration and any other use of outer space should be for civilian research only with a view to furthering the well-being of humanity and not for the destruction of life and the environment.

"Also in August last year, the Conference on Disarmament established an ad hoc committee under item 1 of its agenda, to negotiate a 'non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices'. The ad hoc committee having been established late in its 1998 session could meet only twice. It recommended that the CD re-establish the ad hoc committee at the beginning of its 1999 session. Given that there is consensus to begin talks on a fissile material treaty, we trust that you will quickly establish an ad hoc committee and not lose negotiating time.

"It is our ardent hope that the treaty will be negotiated within the framework of nuclear disarmament. Nuclear disarmament should be made truly irreversible and we therefore believe that the treaty must address the question of the existing stocks.

"Again, a year ago this March, the Conference on Disarmament re-established the ad hoc committee under item 4, to 'negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons'. Since the ad hoc committee did not complete its work, it was recommended that the CD re-establish it at the beginning of its 1999 session. We strongly urge that this be done without delay.

"We are, of course, most deeply concerned that, overall, little progress is being made under item 1 of the CD's agenda, 'Cessation of the nuclear arms race and nuclear disarmament'. The danger of a nuclear catastrophe remains great. A nuclear exchange can be set off by a misconception or an accident and obliterate all life on our globe within less than an hour's time. We therefore urge the Conference to take whatever possible steps that would at least lead to speedy de-alerting and de-activating of the existing nuclear arsenals. However, in the long run, complete nuclear disarmament under strict international control is the only future for humanity; de-alerting can be only one step on the road toward the abolition of nuclear weapons. We therefore express our sincere hope that this 1999 session will decide on a multilateral approach to nuclear disarmament negotiations.

"We recognize that the nuclear-weapon States have the main responsibility for freeing the world of nuclear weapons. It is incumbent on them to pursue with vigour negotiations on nuclear weapons reductions and bring them to a successful conclusion. However, we consider that it is time for non-nuclear-weapon States to be involved in

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nuclear disarmament. A renunciation of first use of nuclear weapons and the withdrawal of nuclear weapons from non-nuclear-weapon States are urgently needed steps. The Conference on Disarmament is the appropriate place to pave the way for broadening the base for nuclear disarmament by creating the legal basis for such commitments. We believe these steps to be the needed signal for advancing the preparations for the NPT Review Conference in 2000.

"Last week the 1997 Convention on the Prohibition of the Use, Stockpiling and Transfer of Anti-Personnel Mines and on Their Destruction came into force. We applaud those countries who took the lead in bringing this treaty about and urge all those not yet party to it to ratify it without further delay, thus ensuring the universal application of the treaty.

"Finally, we wish to emphasize that in our view disarmament is a collective responsibility, a responsibility not only of governments, but also of every individual citizen. It will best be achieved in partnership and trust based on political will.

"In conclusion, thank you for the efforts you are making and we wish to assure you of our support for all steps you take on the way to nuclear, and general and complete disarmament."

The PRESIDENT (translated from Spanish): I thank the Secretary-General of the Conference and the Personal Representative of the Secretary-General of the United Nations for reading the message from the NGO community on the occasion of International Women's Day. Before calling on the speakers on our list for today, I understand that the coordinators of the regional groups would like to take the floor. I first call on the representative of Cuba, Ambassador Amat Fores, who will speak on behalf of the Group of 21.

Mr. AMAT FORES (Cuba) (translated from Spanish): On behalf of the member delegations of the Group of 21, I would like to sincerely thank Mr. Vladimir Petrovsky, Secretary-General of the Conference on Disarmament and Personal Representative of the Secretary-General of the United Nations, for reading the message from the community of non-governmental organizations on the occasion of the holding of International Women's Day on 8 March last. Our Group, with which I associate myself, would also like to thank these non-governmental organizations for the broad support which they have consistently given to the work of the Conference on Disarmament, and to acknowledge their valuable contributions to the cause of general and complete disarmament and, thereby, the achievement of international peace and security. In the Group of 21 we are deeply appreciative of the important role played by women in all walks of life, and particularly in the international movement for peace. Hence we are honoured to be able to congratulate all women in the world, who today represent over half the world's population. We extend these congratulations and thanks to all women belonging to non-governmental organizations for their statement today, which once again encourages us to

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pursue our efforts to achieve a world free of all types of weapons, especially nuclear weapons. Our most sincere congratulations also go to the distinguished female colleagues who head or are part of delegations participating in the Conference on Disarmament, and those who, anonymously, from the interpretation booths or the secretariat, enable us to work and communicate. Woman is a natural nursery in which life is formed, bearer of the future and hope. By honouring we are honoured, and so today we ourselves are honoured by highly honouring women.

Mr. MOHER (Canada): On behalf of the Western Group, I wish to welcome the statement just read this morning by the Secretary-General, Mr. Petrovsky, on the occasion of International Women's Day. I extend a warm welcome, on behalf of the Western Group, to the representatives of the women's international organizations who have joined us today in honour of this occasion.

The Western Group thanks the Women's Seminar for the views that have been submitted to the Conference for its consideration. It notes in particular the view of the Women's Seminar that disarmament remains a high priority for the international community, a priority which - and I quote from the statement - "will best be achieved in partnership and trust based on political will". The members of the Western Group welcome this message and will continue to do their best to contribute to the work of the CD in that spirit.

Mr. MAIMESKUL (Ukraine): Let me, on behalf of the Eastern European Group and on my own behalf, say words of congratulation to the women attending this plenary meeting and express our appreciation to the Secretary-General of the Conference on Disarmament and Personal Representative of the United Nations Secretary-General, Mr. Vladimir Petrovsky, who conveyed to us the message of the Working Group on "Women for Peace" on the occasion of International Women's Day.

We are grateful to the international women's organizations for their constant interest in our work and their invaluable moral support. The women of the whole world, without any doubt, have made and continue to make a substantial contribution to the cause of peace and disarmament.

On the occasion of International Women's Day, I am pleased to extend cordial greetings to the representatives of the women's international organizations, as well as to all women heads and members of delegations, secretariat staff and interpreters. We wish all of you good health, happiness and hope that our common efforts will make the world where we live more secure and safer for the benefit of all humanity.

Mr. LI (China) (translated from Chinese): Last Monday was International Women's Day. On behalf of the Chinese delegation, I would like to extend my greetings for the Day and my best regards to the female colleagues on each delegation, to the ladies present in the public gallery, and to the hard-working female staff of the secretariat. The Chinese delegation would like to welcome once again the presence of representatives of some women's

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organizations in the CD today and would like to thank them for their statement, which fully reflects the interest and support of the international women's community for the work of the CD.

Arms control and disarmament are matters of great importance to world peace and security. While immense changes are taking place in the world situation today, international disarmament efforts have made progress but are also confronted with a heavy task. Women around the world are working tirelessly in this field and are making an important contribution. Promoting international arms control and disarmament and enhancing international peace and security requires a collective effort by the international community, including the women in every country. The Beijing Declaration adopted at the 1995 World Fourth Conference on Women stated: "We are determined to take positive steps to ensure peace for the advancement of women and [recognize] the leading role that women have played in the peace movement". China encourages women around the world to redouble their efforts and make an even greater contribution to the lofty cause of promoting international disarmament and safeguarding world peace.

I would like to wish all the ladies present good health and good luck, for them and their families.

Mr. DEMBRI (Algeria) (translated from French): The Algerian delegation is taking the floor for the first time in plenary this year and wishes first of all to extend to you, Mr. President, its warm congratulations on taking the Chair of the Conference on Disarmament, and to say to you, at the moment when you are preparing to hand over to our colleague from Viet Nam, how much it appreciates the laudable efforts that you have constantly made to pull us out of the waiting period and get our work started. In this connection we wish to assure you of our full appreciation, as the representative of a friendly country with which Algeria launched an innovative project in 1980 to reduce poverty in this world - the Algerian-Venezuelan Development Bank project. Allow me also to say how highly we value the work done by your predecessor, Ambassador Grey of the United States of America, and at the same time to welcome our new colleagues to the Conference on Disarmament, which has seen its ranks swelled by 10 new ambassadors, 10 new sets of abilities that I am sure will be of great value for our collective thinking, and, with regard to the contribution made by the secretariat of the Conference, to express our gratitude to Mr. Vladimir Petrovsky, the Secretary-General of the Conference and Personal Representative of the Secretary-General of the United Nations, and Mr. Abdelkader Bensmail, the Deputy Secretary-General, whose wise counsel has been a veritable lifeline for us on many occasions.

We have just listened to the message conveyed to us by the NGO community on the occasion of International Women's Day, a message of profound humanity and remarkable commitment to the cause of disarmament. We appreciated it highly and extend our congratulations on the militant activity that the community has been waging to bring about general and complete disarmament. I can assure it that as far as the Algerian delegation is concerned, it is most receptive to these efforts and their political and moral underpinnings. The Conference on Disarmament would certainly be enhanced if it were to open

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itself more to civil society, as has already been done in other United Nations bodies, and to establish channels of communication and cooperation with that society in a permanent manner.

I must say that in these present times and the atmosphere prevailing among us it is difficult to make a statement without having to mention our programme of work for the current session, which we have not yet managed to draft in an integrated manner despite your own efforts and those of Ambassador Grey of the United States of America during his term of office. This is why I would like to share some thoughts with you on this issue.

First of all, there is a need for all of us to place the dynamics of our action in its proper context. The programme of work of the Conference on Disarmament is the interface through which we act every year in order to build the component elements of collective security for which we already have a paradigm, namely, the Decalogue of the first special session of the United Nations General Assembly devoted to disarmament.

In this connection, there is also a need, secondly, to recall that the scope of our decision on the programme of work, which, under the rules of procedure of our Conference, is adopted annually, should not prompt any fears of a fatal cumbersomeness in any of us. The limited time-frame of its legal validity - since it does not survive the end of the session - should encourage us all to display greater flexibility and therefore less rigidity.

What is more - if we have to give a third reason - the consensus that has already been extensively used, and sometimes misused, if I may be frank, is the best protection and the best safeguard for each of us, since it enables each delegation to oppose at any time any aspect of our negotiations or our work that it does not deem to be in keeping with the political interests and security imperatives of that country. Now the role of the programme of work, which when all is said and done is a set of mechanisms, is to pave the way for work whose outcome or success will depend on the convergence of views that has been achieved and ultimately the consensus thus obtained. That is why we must accept that the programme of work which is the outcome of our collective decision cannot be imbued with the definitive political or legal authority that some in the Conference on Disarmament seem to wish to ascribe to it.

For my delegation, our collective action should therefore, with flexibility and goodwill, lead us to the drafting of a programme of work for our present session. It should be possible for the programme to be balanced, practicable and, in that context, it should reflect the progress made last year without diminishing or obscuring the importance of each item it contains.

Lastly, there is a need to take into consideration the concerns and aspirations of all in a practical and tangible way. The programme of work, like any decision taken in the CD, is built through consensus, with the agreement of all: it cannot be drawn up in the absence of one group or another - still less by one group against another. We do indeed have differences of view, analysis and conception. We know this, but we also hold this system of argument and counter-argument very dear. This should not,

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however, prevent us from encouraging and provoking that small early-session movement which is the programme of work - a small movement that seems to defy the laws of physics in this room, since paradoxically it is the only movement which manages to create inertia in the Conference.

Having broached the question of our programme of work, we think it is also appropriate to refer to the question of nuclear disarmament, on which my delegation has taken the floor on many occasions at previous sessions. We consider nuclear disarmament as an objective, and there are many ways of reaching it. Some of them have already been devised, even if opinions vary as to their success or their impact: the Non-Proliferation Treaty, the Comprehensive Nuclear Test-Ban Treaty, the nuclear-weapon-free zones, the START process and unilateral initiatives that have been drawn to our attention here in the Conference on Disarmament. Other means have yet to be tried.

In this architecture, we already know that the fissile material ban is another element of the structure, and we would like to see it put into place rapidly. However, an insistent question arises very acutely, which we cannot sidestep. What should be done after fissile material? What should the Conference on Disarmament be able to do in this context and what measure should it consider and negotiate? Will this mean that agenda item 1 has been completed? Whatever the context for the consideration of this question, a reply must be given. This is the meaning that the Algerian delegation wanted to attach to the proposal it produced before the CD last July in document CD/1545, in part A, the elements of which are still valid, as are all the other, now numerous, proposals which have been produced by various groups and offer many avenues for reflection, rich and varied ideas for collective negotiation.

Following in the wake of this central question of subsequent measures in the field of nuclear disarmament, other questions deserve our attention, which are also important. First of all, is there complementarity or antagonism between the bilateral process of nuclear disarmament and the multilateral process? Up to now there has been complementarity - witness the negotiations on the Comprehensive Nuclear Test-Ban Treaty and the forthcoming talks on fissile material, both carried out at the multilateral level. We could say that for the future, matters could not be arranged otherwise, as long as we jointly identify the subsequent measures in the most responsible manner. The question deserves to be raised and an answer can be given.

Next, what is the role of nuclear weapons today after the end of the cold war and what might be their future place in the regime of collective security? What will be their use as elements of power, and their uselessness or their lack of use in terms of safeguarding peace and banishing the spectre of apocalyptic wars, since the concept of bipolar deterrence is no longer operational?

This leads use to question the foundations and profiles of current military doctrines. Is deterrence, as a central element in the effort to

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legitimize the possession of nuclear weapons, still valid? If so, what entities or what threats or what potential threats is it designed to contain? And in what circumstances?

These are substantive questions, crucial concerns in our view - highly political, it is true, because they encompass genuine parameters of security, but we firmly believe they must be given serious and thorough consideration.

In this chapter on nuclear disarmament, important negotiations await us and every delegation here recognizes that they will be arduous and difficult: I refer to the negotiations related to fissile material. My country, which is solemnly and legally committed to the peaceful use of the atom, attaches great importance to this. My delegation will set out its views on this issue in detail in the ad hoc committee which we are expecting to be re-established, but I can say now that it will ensure recognition of the need to make these negotiations a combined measure of non-proliferation and nuclear disarmament. In this connection, the question of stocks must not only be tackled, but must also be enshrined one way or another in the future treaty. Here too, I would like to remind you that the dual proposal made by Algeria in July 1998 addresses the question of fissile material. The Algerian delegation may draw on the elements contained in it depending on progress in the negotiations, which, if not at the outset, at least as soon as possible, should settle the question of the scope and the objectives of the treaty to be negotiated.

We are familiar with the arguments put forward here to limit the scope of the future treaty to future production. We also know the arguments adduced for including stocks, to which my delegation subscribes. Incidentally, what do we mean by stocks? What content should be given to what are called "stocks" and "surplus stocks"? And in that case, what would be the content of so-called "usable" stocks that are claimed to be necessary for maintaining nuclear-weapon systems? What guarantees should apply? The answers are not a priori easy to provide because of the opposition raised to the inclusion of stocks, but also because of the complexity of the political and security parameters that are connected to the question of the asymmetry of these stocks. We need to give thought to this concept of stocks, to define it first of all, then to establish the semantic parameters, and lastly to define the way in which this will be taken into account in the future treaty. My delegation will make its contribution to this work when it starts, and will make every effort in a constructive way to ensure that the future treaty possesses this added value, thanks to the inclusion of stocks, without which it would be no more than a non-proliferation instrument.

I cannot conclude without indicating that the Algerian delegation continues to favour the re-establishment of the ad hoc committee on security assurances, which should embark on a negotiating phase, and the extension of the consultation mechanisms agreed on last year on the issues of reform of the CD, anti-personnel mines, transparency and outer space, which, in our view, should benefit this year from the establishment of an ad hoc committee.

Lastly, I would like to restate the full support of my delegation for the immediate admission of the five countries that appear in

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Ambassador Hofer's report: Ecuador, Tunisia, Kazakhstan, Malaysia, Ireland. Algeria, which endorses the Non-Aligned principle for the democratization of international relations and organizations, supports an immediate decision on this subject, and also calls for the opening of the CD to any State that expresses a wish to be a full member. The CD's character as a negotiating body would not suffer thereby provided that the rules of procedure and the arrangements for conducting and handling our negotiations were revised accordingly. It goes without saying that we would all gain greater representativeness and greater legitimacy.

The PRESIDENT (translated from Spanish): I thank the representative of Algeria for his statement and the kind words addressed to the Chair and to my country. I give the floor to the representative of Japan, Ambassador Hayashi.

Mr. HAYASHI (Japan): Mr. President, as this is the first time for me to take the floor in this year's session of the Conference, first of all, I would like to express my warmest congratulations to you on your assumption of the post of the President of the Conference on Disarmament. The tasks before us have important significance for the work of this year and the immediate years to follow, and I wish to express also the appreciation of my delegation for what you have done under your presidency for the progress of the work of the CD.

I would like to take this opportunity to express my appreciation for the efforts made by your predecessor, Ambassador Robert Grey of the United States of America, and also to pay tribute to Mr. Vladimir Petrovsky as well as to his deputy, Mr. Abdelkader Bensmail, and their staff for their efficiency in facilitating the work of the Conference. Let me warmly welcome our new colleagues who have recently joined us.

It is also my pleasure to extend a warm welcome to the representatives of the women's international organizations who are present today and thank them for their interest in and support of the work of the CD.

Today I would like to focus on three subjects, i.e. nuclear disarmament, the FMCT and small arms. However, it should not be construed that other subjects are not important to my delegation.

The turn of events since last year have undoubtedly brought back the issue of nuclear weapons to the centre stage of the world after a few years of relaxation, negligence and even a hint of complacency.

The outcome of these events is most vividly reflected in the state of health of the single most important and most universal legal embodiment of human aspiration - the Nuclear Non-Proliferation Treaty - which was indefinitely extended in 1995. The indefinite extension was made possible because the treaty embraced an aspiration of humankind for nuclear disarmament as clearly as it codified the commitment to nuclear non-proliferation. Thus, the treaty became the cornerstone both of nuclear disarmament and of non-proliferation. The significant tenet of the treaty remains that it obliges the nuclear-weapon States to pursue negotiations on nuclear

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disarmament as unequivocally as it obliges the non-nuclear-weapon States not to acquire nuclear weapons. This collective brainchild of the late twentieth century needs constant tending and nurturing since the state of its health at this moment is far from excellent.

Then how can we fulfil our responsibility of parenthood? The only way is to be attentive to all the aspects that this treaty embodies.

Last year, the disappointing results of the Second PrepCom for the year 2000 Review Conference turned out to be only a prelude to the psychological shock wave as well as the physical seismic wave that emanated from the nuclear testing in South Asia in May 1998.

It is thus urgently needed to consolidate the NPT regime. It is simply not enough to engage in rhetorical emphasis on the importance of the NPT. We have to rear it as a living being and keep breathing vigour into it. The only way to do this is to keep making conscious collective efforts for nuclear disarmament.

Clearly, the START process constitutes the central pillar of such efforts and will remain so for some time to come. The process has been conducted between the two major nuclear-weapon States, but it is not entirely a bilateral business. The outcome of the process has a significant consequence and impact on the whole world. Moreover, the process surely has an aspect of fulfilling the multilateral legal obligations under the NPT.

My delegation also believes that the obligations of the three smaller nuclear-weapon States to pursue nuclear disarmament are not conditional upon the pace and extent of reductions on the part of the two bigger nuclear-weapon States. The three are equally and without condition obliged under the NPT as the other two are. As my Government proposed at last year's PrepCom of the NPT Review Conference, it is only reasonable to expect that the three smaller nuclear-weapon States at least commit themselves to not increasing their existing nuclear arsenals before they are fully engaged within the framework of the five.

As I mentioned earlier, the reduction of nuclear arsenals has been and will be for some time the domain of the bilateral and possibly the plurilateral process among the nuclear-weapon States. But it is inconceivable that multilateral discussions on nuclear disarmament could in any way obstruct these processes.

If we look back, we can see an impressive record of achievements based on multilateral discussions and negotiations, including most recently the CTBT. If we look forward, all the States, including the nuclear-weapon States, are committed to the elimination of nuclear weapons and will undoubtedly have a long journey to make before reaching that goal. The FMCT negotiations are the agreed next step on a multilateral front. But it is bound to be such a long journey that there must be room for further multilateral efforts.

(Mr. Hayashi, Japan)

Having agreed on our goal of the elimination of nuclear weapons, it is only logical to try to identify the next multilateral steps beyond the FMCT negotiations. It is regrettable that the nuclear-weapon States, reluctant to make any attempt to discuss nuclear disarmament, help create suspicion about the seriousness of their commitment to the elimination of nuclear weapons.

My Government has been tabling a draft resolution on the ultimate elimination of nuclear weapons in the First Committee of the United Nations General Assembly since 1994. In last year's resolution, we tried to introduce new elements in order to prescribe actions that needed to be pursued for the advancement of nuclear disarmament. These included: (a) "multilateral discussions on possible future steps for nuclear disarmament and nuclear non-proliferation"; and (b) "further efforts by the five nuclear-weapon States to reduce their nuclear arsenals unilaterally and through their negotiations". The resolution was adopted with the support of the overwhelming majority of the United Nations Member States, including all the nuclear-weapon States.

We recognize that the CD is instrumental in responding to what the resolution stipulated. In fact, the CD has a variety of proposals related to mechanisms and mandates for such discussions. Among them, the proposals made by Canada and South Africa are in line with our thinking expressed in the resolution. The five NATO countries seem to propose to modestly start by providing a mechanism to study ways and means of establishing an exchange of information and views within the Conference on endeavours towards nuclear disarmament. It would be a meaningful approach as the very first step toward more substantive discussions.

With regard to the Troika consultations, I consider it in principle a useful intermediate measure in the process of establishing a more formal and structured mechanism for nuclear disarmament discussions. Nevertheless, clear results of such consultations have not yet been observed despite the efforts made by the successive Presidents. In this regard, I would like to stress the necessity of strengthening those consultations by increasing the frequency of the meetings, enhancing the profile, providing more transparency, giving a clear purpose and focus to each session, and producing regular reports.

The aim of the Troika consultations is obviously to find an eventual consensus on an appropriate mechanism for nuclear disarmament discussions. Alternatively, we may make use of the Troika consultations as an instrument for substantive discussions on nuclear disarmament, with or without changes to its mandate.

As you may recall, my delegation made a proposal for a Special Coordinator in 1997. Because my delegation is more interested in commencing the work of the CD and making progress than placing our national flag on one of the proposals, let me just remind the floor that the proposal still exists and could be called upon as a means to find consensus on a mechanism and a mandate for nuclear disarmament discussions in the CD.

I would now like to move on to the FMCT negotiations. We believe that an FMCT is significant both for nuclear disarmament and for non-proliferation.

(Mr. Hayashi, Japan)

Even though an FMCT alone cannot automatically assure the reduction of nuclear arsenals, it will nevertheless contribute to nuclear disarmament in two ways. It can at least constrain the nuclear-weapon States or any State from producing fissile materials for nuclear weapons. In addition, the FMCT could be yet another stepping stone in our advancement toward the goal of eliminating nuclear weapons.

Let me briefly set out the important principles that my Government attaches to the FMCT negotiations.

First of all: "universality". In order for the international community to fully appreciate the value of the treaty, it needs to be universally adhered to, including by those States that are capable of producing nuclear weapons.

Second: "non-discrimination". The treaty should not create a legal regime which introduces a distinction between the nuclear-weapon States parties and the other States parties to the FMCT in terms of the rights and obligations of the treaty as such. But should we stop there in terms of non-discrimination? If the FMCT introduces safeguard mechanisms short of the full-scope safeguards provided for by the NPT regime, the treaty is likely to create actual differences among States parties to the FMCT, including a difference in verification measures at a certain kind of facility, depending on whether they are situated in the States where safeguards in accordance with the NPT are applied and the other States. This is a difficult issue, and my delegation needs more time to propose a solution. In any case, we should face this problem within the FMCT negotiations or in a longer time-frame.

Third: "cost-effectiveness". The cost of verification under the FMCT must be commensurate to what we could realistically expect out of the entire regime of the FMCT with its limitations. In other words, we should not seek perfection without regard to its cost. In this respect, it is also important to fully utilize the accumulated knowledge and expertise of IAEA.

Fourth: "no restriction on the peaceful use of nuclear energy". My delegation believes that the FMCT would in no way affect the peaceful use of nuclear energy and understands that this view is shared among the CD members.

Fifth: "existing stocks". This issue must be addressed either in parallel with the current FMCT negotiations or on a stage-by-stage basis.

It is often said that being too ambitious in our negotiations on the FMCT will only complicate the matter and delay its conclusion. In this assertion, it was pointed out that even codifying the ban on the future production of fissile materials with focused verification measures would be a major step forward. I am not opposing this assertion entirely, because there is a sobering truth in it. However, I have some doubts if that means that all the controversial issues should be out of the purview of the negotiations.

(Mr. Hayashi, Japan)

If such a "minimalist" approach is the only possible choice for the CD, I wonder why we are investing so much time and energy in the multilateral negotiation of such a treaty.

Finally, I would like to briefly touch upon the issue of small arms which was raised in several statements made earlier in this session, especially by the distinguished colleagues of Canada, Norway, Austria and South Africa. On behalf of my Government, I would like to pay tribute to the great interest shown by their Governments on this issue.

In the field of small arms, there are numerous ongoing initiatives and activities organized by international and regional organizations such as the United Nations, UNDP, OAS and the EU, many national governments, including my own, and several non-governmental organizations. My Government believes that in view of the enormity of the issue, the United Nations should take the lead and play the central role.

The United Nations panel of governmental experts, under the chairmanship of Ambassador Donowaki, submitted its report to the Secretary-General in 1997 containing the panel's recommendations on reduction measures as well as prevention measures in order to tackle the problem of the excessive and destabilizing accumulation and the transfer of small arms. Based upon this report, the Secretary-General established a new group of governmental experts on small arms in 1998 to consider: (a) the progress made in the implementation of the recommendations of the report on small arms; and (b) further actions recommended to be taken. The experts' group was further given an additional mandate with the United Nations resolution. This additional mandate is to consider recommendations regarding an international conference on the illicit arms trade in all its aspects to be held not later than 2001.

In this regard, I would like to commend the Swiss Government for having offered Geneva to host this conference. The group of governmental experts met again two weeks ago in Geneva for its second session, immediately after the very useful workshop on small arms hosted by the Swiss Government. The group will probably meet again in May in Tokyo at the invitation of my Government and will then finally meet again in July before submitting their report to the Secretary-General. If the group is not given a further mandate, it will be able to complete the task with the submission of the report this year. Thereafter, it will be up to us to decide what we will do to implement the recommendation. At that stage, the CD will naturally be one of the forums through which we could possibly try to implement the recommendations, as the distinguished Ambassadors of Canada and Austria mentioned the possibility of the Conference on Disarmament taking up the issue of small arms. My delegation shares the same thought and finds the suggestion that the CD take up a code of conduct on arms transfers a useful one to start discussions.

In conclusion, I would like to stress the urgency to start substantive discussions by adopting the programme of work for 1999. I fully understand that priorities or emphases are not identical among the CD members and that there will be no magic formula to make everybody 100 per cent happy. But we

(Mr. Hayashi, Japan)

are all aware that the continuation of the present impasse will only discredit the CD as a body and equally shame every one of us. I sincerely hope that this awareness will be translated into some degree of flexibility for a compromise. As far as my delegation is concerned, it is ready to be flexible in order to start concrete work in this part of the session.

The PRESIDENT (translated from Spanish): I thank the representative of Japan for his statement and the kind words addressed to the Chair. I now give the floor to the representative of China, Ambassador Li.

Mr. LI (China) (translated from Chinese): Mr President, at the outset the Chinese delegation would like to express its appreciation of your relentless efforts to formulate this year's programme of work for the CD. During the past few weeks we have had repeated consultations, and your patience and diligence in carrying out your responsibilities have earned you everyone's admiration.

Concerning the working mechanism under agenda item 3, "Prevention of an arms race in outer space", consultations are yet to take place. The Chinese delegation would like to put forward a specific proposal to be considered in future consultations.

China has always attached great importance to the prevention of an arms race in outer space. I expounded China's views and positions on this matter in the CD plenary on 13 August last year and 11 February this year. Given that in recent years the countries concerned have been intensifying their efforts to develop and test space-based weapons and weapon systems, and in particular in view of the latest disturbing developments, preventing an arms race in outer space has become more present and pressing. China believes that the Conference on Disarmament, as the sole multilateral disarmament negotiating forum, should take concrete action in this regard, re-establishing an ad hoc committee to negotiate an international legal instrument preventing an arms race in outer space.

I therefore put forward the following proposal on the re-establishment of an ad hoc committee and its mandate under agenda item 3, "Prevention of an arms race in outer space".

"1. The Conference on Disarmament decides to re-establish, under item 3 of its agenda, entitled 'Prevention of an arms race in outer space', an ad hoc committee to negotiate the conclusion of an international legal instrument banning the testing, deployment and use of any weapons, weapon systems or components thereof in outer space, with a view to preventing the weaponization of outer space.

"2. The ad hoc committee shall, in carrying out its mandate, take into consideration all relevant proposals, present and future; it shall report to the Conference on the progress of its work before the conclusion of the 1999 session."

(Mr. Li, China)

My delegation requests that this proposal be circulated as an official CD document. We are ready to listen to the views and positions of all parties and make joint efforts to promote substantive progress on this subject.

The PRESIDENT (translated from Spanish): I thank the representative of China for his statement and the kind words addressed to the Chair. I now give the floor to the representative of Pakistan, Ambassador Akram.

Mr. AKRAM (Pakistan): First of all, I would like to join and endorse the statement which was made by the distinguished Ambassador of Cuba on behalf of the Group of 21 on the occasion of International Women's Day. We also welcome the programme of measures for nuclear disarmament which the women's seminar has proposed.

In this context, let me note the call for nuclear disarmament which has just been made by the distinguished Ambassador of Japan, who has referred to the collective parenthood of the NPT. While not questioning the paternity of this treaty, much less its legitimacy, let me also recall that the call for the complete elimination of nuclear weapons within a time-bound framework was espoused most strongly in our midst by one of our former lady colleagues, and it is our hope that one day, perhaps, there will be a majority of lady heads of delegation within the CD, and that call for a time-bound framework for the elimination of nuclear weapons may receive the endorsement of the international community.

I have asked for the floor to refer to the item on the prevention of an arms race in outer space. My delegation outlined its substantive position on this item in its statement of 25 February. We believe that the recent developments which have taken place have accorded special importance to action by the Conference on Disarmament on this issue. Our major areas of concern have been outlined in our statement: strategic confrontation between the major Powers, the possibility of the revival of an arms race in outer space and on the ground, and the destabilization of deterrence and stability in several regions of the world, including a nuclearized South Asia. Therefore, we believe that prevention is better than cure, and the creation of an ad hoc committee on the prevention of an arms race in outer space has assumed acute urgency.

The Group of 21 has proposed the creation of such an ad hoc committee in document CD/1570 of 4 February. Pakistan therefore fully supports the proposal which has been made today by the distinguished Ambassador of China to establish an ad hoc committee under item 3, which shall "negotiate the conclusion of an international legal instrument banning the testing, deployment and use of any weapons, weapon systems or components thereof in outer space, with a view to preventing the weaponization of outer space". We believe that this proposal can serve as the basis for an acceptable mandate for an ad hoc committee on this item.

Mr. ZAHRAN (Egypt) (translated from Arabic): Mr. President, since this is the first time my delegation is taking the floor under your presidency, allow me to congratulate you on your wise leadership and your diligent and

(Mr. Zahran, Egypt)

objective endeavours since you assumed the presidency of the conference in an attempt to further the work of the Conference within the framework of the agreed work programme. Therefore I pay tribute to you and to Ambassador Grey, your predecessor, for his efforts in this regard. I take this opportunity to greet our new colleagues who have recently joined the CD family and wish to express my delegation's intention to cooperate closely with them. Finally, I wish to greet the Ambassador of France, whom I kindly request to convey to our colleague, Mrs. Joëlle Bourgois, my sincere appreciation for her kind words in my regard in a meeting at which I was not present.

Having heard the statement made by Mr. Vladimir Petrovsky, the Secretary-General of the Conference on Disarmament and Personal Representative of the United Nations Secretary-General, concerning the statement prepared by the non-governmental organizations on the occasion of the celebration of International Women's Day, I wish to pay tribute to Mr. Petrovsky for his statement and emphasize the importance of women's participation not only in furthering social development and rearing the future generations that will continue and complete the course of human progress but also in the field of disarmament and the achievement of security and stability throughout the word. We could appropriately recall the dictum: "Paradise is at the feet of mothers".

Yesterday I attended the seminar organized as part of the celebration of International Women's Day on the prevention of an arms race in outer space. I was deeply impressed by the activities that women are undertaking in this field, which for so long has been a focal point of concern to us and constituted one of the reasons which prompted Egypt, in cooperation with the delegation of Sri Lanka at the United Nations, to propose a draft resolution concerning the prevention of an arms race in outer space. This resolution, which was adopted by the United Nations General Assembly at its last session, is contained in document 53/76. In fact, that was one of the reasons underlying or request for the establishment of a committee within the Conference on Disarmament on the prevention of an arms race in outer space. This committee was actually established, on the initiative and with the support of the delegation of Egypt, in the Conference on Disarmament in 1985 and continued its work until its mandate expired. We are now requesting that this Committee be re-established in order to resume its work which was suspended a few years ago. Accordingly, you will find that the programme of work submitted by the Group of 21, which you will find in document CD/1570, makes provision for the re-establishment of this Committee with a specific mandate.

In this respect, the Egyptian delegation fully endorses the proposal put forward by the Chinese delegation on the re-establishment of this Committee with the mandate outlined in the statement before this Conference by His Excellency the distinguished Ambassador of China, which is fully in line with the resolution that was adopted by an overwhelming majority in the General Assembly, that is to say resolution 53/76 of the last session. However, this must not be understood as being the highest priority for us, because our highest priority, as indicated in the statement that the Egyptian delegation made before this Conference on 26 January during this session, is

(Mr. Zahran, Egy

nuclear disarmament and the establishment of a committee on this subject in the Conference on Disarmament, in addition, of course, to the other committe that we agreed to establish in the Conference on Disarmament last year to address the question of the ban on the production of fissile material. This should be clearly understood.

In this connection, I would like to pay tribute to the positive contribution made by the non-governmental organizations in this respect, whi lends further weight to our repeated requests, most recently on 26 January, that the Conference should confer observer status on the non-governmental organizations in the work of the Conference on Disarmament. The latest statement made by Mr. Petrovsky, Secretary-General of the Conference and Personal Representative of the Secretary-General of the United Nations, gave an additional indication that we were right to request observer status for non-governmental organizations in this Conference in recognition of the valuable contributions that they are making in the field of disarmament.

The PRESIDENT (translated from Spanish): I thank the representative of Egypt for his statement and the kind words addressed to the Chair. We have come to the end of the list of speakers. I would like to know whether any delegation would like to take the floor. If not, I would like to make a number of final comments on the work done during this period, during which I had the honour to preside over the work of the Conference

As you know, from the outset, and despite the efforts made earlier by m predecessor Ambassador Grey of the United States, we had to focus our entire attention on the adoption of the programme of work of the Conference, which w deem essential to be able to begin the substantive consideration of the items on the agenda already agreed. As you will recall, we had before us several proposals, some of them related to the programme as a whole, such as those submitted separately by the Group of 21 and by my predecessor in the Chair, and some other specific ones on certain points, in particular nuclear disarmament, submitted by individual delegations and by groups of countries. On this basis we began very wide-ranging and transparent consultations with delegations individually and with groups of countries, all for the purpose of finding the common ground, that necessary middle ground, that would serve as basis for drawing up a consensus formula.

From these consultations we were able to conclude, firstly, that there was a substantial measure of agreement, in general terms, on the programme, except as far as two specific issues are concerned, relating in particular to nuclear disarmament and the prevention of an arms race in outer space, specifically the way in which the Conference could consider these issues. As I said at the last plenary meeting, the initial consultations also reflected the general interest in moving forward in our work and adopting the programme of work as soon as possible, in order to address questions of substance, for which the need was always recognized to show the greatest possible flexibilit in the positions of countries individually and in groups. Regrettably, we also observed that this flexibility, though sizeable, was insufficient to arrive at the agreement which we have been hoping to achieve over these past weeks. We are aware that the political will to make progress in our work mus

(The President)

be based on flexibility, but real flexibility, and, I would venture to add, flexibility on an equal footing, in the sense that efforts should be balanced, which is inherent in any negotiating process. As long as balanced concessions are not achieved, we will continue to encounter difficulties in achieving a formula acceptable to all.

At the end of the consultations, bearing in mind not only the proposals formally submitted to the Conference but also all the opinions expressed, I decided to draw up a text which we circulated informally first, for the consideration of the various groups, and now officially (CD/1575), in order to achieve a basis for compromise as soon as possible. The proposal I took the initiative of putting before you for your consideration, on which regrettably there has been no agreement, is in my opinion a balanced text from various standpoints. The initial proposals, as you may recall, related to the creation of specific bodies, of different ranks, and also with different mandates, to consider issues related to nuclear disarmament and prevention of an arms race in outer space. Focusing on these two matters, on which, as I said before, there were and continue to be serious divergences, we submitted in our proposal two intermediate formulas that could be placed at the centre of the aspirations of the various countries and groups.

As for nuclear disarmament in particular, referred to in paragraph 3, we attempted to draw up a balanced formula as regards the body and the mandate, which in my opinion are the two constituent elements of the mechanism to consider the item in the Conference. Firstly, the body which we are endeavouring to set up, an ad hoc working group, falls in the middle ground between an ad hoc committee and the Troika created last year. The body, however - I must reiterate this - is not in my mind as important as the mandate, to which the second part of this first paragraph of section 3 of the proposal refers. This mandate - and here there is a second effort to seek balance - is also to be found in a common or intermediate space where we can clearly identify the phases of exchange of information and views and a possible negotiating phase. It is the mandate, to our mind, which enables the body to be described as a deliberative or negotiating body, which stands at the very heart of the differences expressed. The mandate proposed in this paragraph 3 makes provision for the two phases in an equally balanced manner, a deliberative body and a negotiating body in a second phase.

As for the item relating to prevention of an arms race in outer space, mentioned in paragraph 4 of the proposal, an equally moderate and intermediate mechanism is presented that could enable us to make progress in the handling of the item with a view to achieving consensus enabling us to arrive at an agreement on the mandate for an ad hoc committee. The two mechanisms we have taken the initiative of proposing reflect, in addition to what we consider to be this middle ground, important progress as regards the handling of these two issues by the Conference, which corresponds to the general interest that the decisions adopted in the Conference should not detract from earlier agreements and achievements.

The situation of deadlock in which the Conference finds itself now in connection with procedural or organizational issues, which, it is true, have a

(The President)

very important relationship to the substantive consideration of the topics falling within the competence of the Conference, regrettably have a negative impact on its credibility, in which the internatical community has vested its confidence so that it will consider issues of disarmament and nuclear disarmament in particular. I think that the consultations and negotiations on our programme of work should be continued and intensified in order to adopt a decision as soon as possible, for which we require the greatest political will and, of course, a show of clear and positive flexibility.

To conclude, I should like to draw your attention to an issue which should be solved as soon as possible: the expansion of the Conference and the admission of new members. There is a majority favourable opinion that should serve as a basis for the adoption of a definitive decision on this issue, in the immediate future.

I do not wish to conclude these brief final considerations without wishing the new President, my friend and neighbour Ambassador Nguyen Quy Binh of Viet Nam, the greatest success in this delicate and complex task, and to express my greatest gratitude to all of you for the support you gave me, especially the Secretary-General of the Conference, Mr. Vladimir Petrovsky, the Deputy Secretary-General, Mr. Abdelkader Bensmail, and all the very efficient staff of the secretariat for the assistance they have given me at all times during these past weeks.

The next plenary meeting of the Conference will take place on Thursday, 18 March 1999, at 10 a.m.

The meeting rose at 11.45 a.m.